

From: [Hunter, Christopher](#)
To: [Lewicki, Chris](#)
Subject: RE: friendly reminder to send me TP for Deschutes
Date: Thursday, June 14, 2018 11:27:00 AM

Thanks for the reminder Chris. How's this?

Current Status

It is Region 10's plan to act on Oregon's Deschutes TMDL submission by June 29th. (b) (5)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] The RA

was briefed on the proposed actions in May and was planning to call the AAOW discuss prior to the June 29th litigation-related due date.

Background

The Deschutes River, Percival Creek, and Budd Inlet Tributaries (Phase 1) TMDL study area is located in south Puget in Thurston and Lewis Counties, Washington. The Washington Department of Ecology submitted the final Phase 1 Deschutes TMDL to EPA for approval on December 17, 2015. That document addresses a total of 73 waterbody-pollutant combinations, involving temperature, dissolved oxygen [DO], pH, fecal coliform, and fine sediment impairments.

On September 6, 2017, Northwest Environmental Advocates (NWEA) filed a complaint against EPA alleging violation of section 303(d)(2) of the Clean Water Act (CWA) for failure to act on the Deschutes River TMDL submission. Section 303(d)(2) requires EPA to either approve or disapprove a state's TMDL submission within 30 days of submittal.

As part of the ongoing litigation, EPA has stated in briefs that we will act on the Deschutes TMDL by June 29, 2018. The judge has denied EPA's motion to stay the case until June 29, but has not yet ruled on the plaintiff's motion for summary judgment, and recommended a consent decree or stipulated entry of judgment to ensure EPA action on the TMDL.